



700 Sunset Boulevard North • Sunset Beach, NC 28468

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Susan Parker, Administrator

May 17, 2016

Senator Jim Davis  
Senator Norman Sanderson  
State and Local Government Committee Co-Chairman  
North Carolina General Assembly  
16 West Jones Street  
Raleigh, NC 27601

Re.: Proposed Senate Bill 875

Dear Senator Davis and Senator Sanderson:

I am writing you and each member of the Senate's State and Local Government Committee on behalf of the Town of Sunset Beach Council in regards to proposed Senate Bill 875. I have attached a copy of a resolution adopted by our Council this week in response to the filing of this bill by Senator Bill Rabon. We are deeply concerned on many levels about this proposed legislation. To summarize a few of our serious issues with this legislation:

1. Neither our town staff nor the elected Council was made aware of this request or the reasons for same prior to the filing. Our first notification was a phone call to me from Senator Rabon the evening the bill was introduced into the Senate's system. I shared with him that the community would strongly oppose the bill. I suspect you've already seen a sampling of opinions on this.
2. Our understanding is that local legislation typically is only filed when a municipality and its local representatives have discussed it and there is no controversy involved in the request. That is clearly not the case in this situation.
3. There are three separate tracts of land involved in the proposed bill. Each has a long history with the Town of Sunset Beach. One was part of a requested voluntary annexation that the Town adopted at the start of 2008 and has a first phase of an apartment complex scheduled to open early this summer. The second tract has permits from state and local offices, and just started construction on the first two of its 10 lots in the last year after the property owners and the Town of Sunset Beach settled a lawsuit brought by the property owners. The third tract is going through the permit process at the state and local levels now, and involves a land ownership dispute that includes land the Town of Sunset Beach considers itself to remain the owner of. It is the belief of the Town's Council that to remove these parcels from the Town's limits and its tax rolls now after years of service to each of the various property owners would damage the Town and its citizens.

Mayor: Ron Watts • Mayor Pro-Tem: Carol Scott  
Town Council: Louis DeVita • Mark Benton • Richard Cerrato • Peter Larkin

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4. Two of these tracts are located at either end of our town's barrier island. Removing them from our town's regulations and oversight would have a severe negative impact on our community.
5. The Town would expect to continue providing its police and fire safety services at its cost through local mutual aid agreements to all three tracts even if the properties were removed from Town limits. So we would be left with having to provide services without direct control nor typical reimbursement options from these areas.

We will be reaching out to the involved property owners to offer to listen to their concerns, and we are committed to addressing legitimate issues they might raise. But in the meantime, on behalf of the Sunset Beach Town Council and its citizens, I respectfully request that the members of the State and Local Government Committee not pass proposed Senate Bill 875 from your committee.

Sincerely,

Ron Watts  
Mayor

Encl.: Resolution Regarding Proposed Senate Bill 875

cc: Senator Bill Rabon  
Representative Frank Iler  
Senator John M. Alexander, Jr.  
Senator Trudy Wade  
Senator Deanna Ballard  
Senator Tamara Barringer  
Senator Jay J. Chaudhuri  
Senator David L. Curtis  
Senator Valerie P. Foushee  
Senator Fletcher L. Hartsell, Jr.  
Senator Brent Jackson  
Senator Ronald J. Rabin  
Senator Jane W. Smith  
Senator Jeff Tarte  
Senator Terry Van Duyn  
Senator Joyce Waddell

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**RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF SUNSET BEACH  
REGARDING PROPOSED SENATE BILL 875**

**WHEREAS**, Senate Bill 875 has been proposed and entered in this session of the North Carolina General Assembly by Senator Bill Rabon; and,

**WHEREAS**, this bill proposes to remove certain described property from the Town of Sunset Beach; this property consisting of three separate tracts of land within the existing limits of the Town of Sunset Beach; and,

**WHEREAS**, the first tract of land, known as the Palm Cove development, represents approximately 10 oceanfront lots, has had various development plans submitted and approved by the Town of Sunset Beach. The Palm Cove Property owners entered into a settlement of a lawsuit with the Town in 2015, and currently the first two homes are under construction at the east end of the island of Sunset Beach; and,

**WHEREAS**, a second tract of land located on the mainland of Sunset Beach, known as Sunset Creek Commons, is part of a 64.25 acre tract whose owners requested voluntary annexation into the Town of Sunset Beach, which was adopted by the Town Council on January 7, 2008, and which now has the first phase of apartments scheduled for completion early this summer on a tract of slightly more than 6 acres of the total land that was annexed at the request of property owners; and,

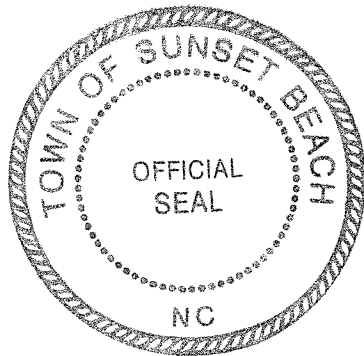
**AND WHEREAS**, the third tract of land, known as Sunset West, consists of a proposed 21 lot oceanfront development at the west end of the island of Sunset Beach. The Town considers it to be the actual owner of this tract of land, and the parties are in existing dispute.



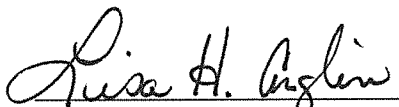
**NOW THEREFORE BE IT RESOLVED THAT** the Sunset Beach Town Council wants to make all members of the North Carolina State Legislature aware that the community is shocked by the proposed bill since there has been no conversation prior to its submission with the town staff or elected Council on any reasons for this legislation on the part of either the Senator, his staff, or the property owners, and

**BE IT FURTHER RESOLVED THAT** the Sunset Beach Town Council and the town staff are willing to discuss any concerns these property owners or Senator Rabon might have that prompted this proposed legislation, but Seeing a negative impact to the community from this proposed local legislation, believing this is not appropriate legislation for the current short session, and not given the chance to address any legitimate concerns the involved property owners might have prior to its submission, **THIS COUNCIL VERY STRONGLY OPPOSES SENATE BILL 875, AND REQUESTS YOUR SUPPORT IN ITS REJECTION.**


Approved by a vote of 5-0 on May 17, 2016



ATTEST:

  
Lisa H. Anglin, Town Clerk

TOWN OF SUNSET BEACH

  
By: Ron Watts, Mayor